

TITLE 3: HEALTH AND SANITATION AND ANIMAL REGULATIONS

DIVISION 3: ENVIRONMENTAL HEALTH

Chapter 12: Vehicle Abatement and Removal Program.

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33.121 Authority.

(a) Pursuant to the authority cited in Division 3 of Title 3 of the San Bernardino County Code, California Vehicle Code Sections 22660 and 22669, California Government Code section 25845, and the authority granted by the State and California Constitution Art. XI, Section 7, the San Bernardino County Board of Supervisors authorizes the Chief of the County Fire Department (CFD) of the County of San Bernardino and its designated employees to enforce the provisions of this chapter within the unincorporated areas of San Bernardino County and to enforce provisions of city ordinances relating to abatement and removal of vehicles provided such cities contract to have such service performed by the County Fire Department. This authority includes the right to enter private or public property for the purposes specified in this chapter, to examine a vehicle or parts thereof, to obtain information as to the identity of a vehicle and remove or cause the removal of a vehicle or part thereof declared to be a nuisance. For purposes of this chapter, all references to DEHS shall be replaced by CFD, all references to the Director of DEHS shall be replaced by the County Fire Chief, and all references to employees of DEHS shall be replaced by employees of CFD.

(b) Any person interfering with or refusing entry to property to any county or contracted service employee performing duties under this chapter shall be guilty of a misdemeanor and, upon arrest and conviction, shall be punished by a fine not in excess of five hundred dollars (\$500), and imprisonment of not more than ninety (90) days, or both. This includes all attempts to retrieve, remove or relocate vehicles at the onset of or during the abatement and removal process by the County and/or its contractors.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.125 Definitions.

For the purposes of this chapter, unless otherwise apparent from the context, phrases used in this chapter are defined as follows:

(a) "Abandoned Vehicle" shall be a vehicle which is located on public or private property without the express or implied consent of the property owner or person in lawful possession or control of the property.

(b) "Administrative board" shall be a body appointed by the director to hear appeals under this chapter and shall consist of three (3) persons.

(c) "DEHS" shall be the Department of Environmental Health Services of the County of San Bernardino.

(d) "Director" shall be the Director of the Department of Environmental Health Services of the County of San Bernardino.

(e) "Dismantled" shall mean that integral component parts necessary to operate the vehicle on a highway, roadway or public street have been removed from the vehicle.

- (f) "Fee" shall be any amount of money charged, fined, or paid to DEHS relating to the administrative and/or enforcement costs incurred for the purpose of enforcing this chapter.
- (g) "Inoperable" shall mean the vehicle is absent a motor, transmission, wheels or any other part or equipment necessary to operate safely on a highway, roadway or public street.
- (h) "Junked" shall mean a vehicle which has been destroyed or damaged to such an extent that it is nonrepairable.
- (i) "Lien sale" shall mean a sale of a vehicle to obtain legal ownership of a vehicle under title or requiring registration, under the California Vehicle Code.
- (j) "Owner" shall be any person or entity having legal or rightful title in any personal property or real property subject to the provisions of this chapter.
- (k) "Owner of the vehicle" shall be the last registered owner and legal owner of record.
- (l) "Person" includes a natural person, firm, copartnership, association, or corporation.
- (m) "Private property" shall be property owned by a person other than a public entity.
- (n) "Public property" shall be property owned by a public entity.
- (o) "Licensed dismantler's yard" shall be premises used for dismantling or wrecking of vehicles, where there is buying, selling or dealing in such vehicles, their integral parts, or component materials thereof, and the sale of dismantled, partially dismantled, wrecked or inoperative vehicles.
- (p) "Roadway" shall mean that portion of a highway which is improved, designed or ordinarily used for vehicular travel, including improved shoulders.
- (q) "Unattended vehicle" shall be a vehicle for which the licensed driver responsible for the same is not within an audible distance and immediately available for moving said vehicle.
- (r) "Vehicle" shall be any device by which persons or property may be propelled, moved, or drawn upon a highway, and shall include all types of motor vehicles, but shall exclude devices moved exclusively by human power or used exclusively upon stationary rails or tracks.
- (s) "Wrecked" shall mean a vehicle which has been damaged to such an extent that it is only semirepairable and/or uneconomical to repair.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1210 Public Nuisances.

Pursuant to the determination made, and the authority granted by the state under § 22660 of the California Vehicle Code to abate and remove abandoned, dismantled, inoperative, junked, and wrecked vehicles, and/or parts thereof as public nuisances, and in accordance with the County's constitutional police power authority, the San Bernardino County Board of Supervisors makes the following findings and declaration:

The accumulation and storage of dismantled, wrecked, inoperative, junked, abandoned vehicles or parts thereof, on private or public property (other than streets and highways which are regulated by the Vehicle Code) is found to create a condition tending to reduce the value of private and public property, to promote blight and deterioration, invite plundering, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, to create a harborage for rodents and insects and to be injurious to the health, safety and general welfare of the public. Therefore, the presence of abandoned, dismantled, inoperative, junked or wrecked vehicles or parts thereof on private or public property (other than on streets, public roadways, alleys, rights-of-way and highways) in the unincorporated area of San Bernardino County except as expressly permitted in this chapter, is declared to constitute a public nuisance which may be abated as such in accordance with the provisions of this chapter.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1215 Exceptions.

This chapter shall not apply to any vehicle or parts thereof which is completely enclosed within a building consisting of four (4) walls and roof in a lawful manner, where such vehicle is not visible from the street or other public or private property or a vehicle or parts thereof which is stored or parked in a lawful manner on property used in connection with the business of a licensed dismantler, garage, vehicle dealer or junkyard. This exception shall not authorize the maintenance of a public or private nuisance as defined under the provisions of law other than this chapter.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1220 Chapter Supplement to Existing Law.

This chapter is not the exclusive regulation of abandoned, dismantled, inoperative, junked or wrecked vehicles or parts thereof, or public nuisances within the County. It shall supplement and be in addition to the other regulatory codes, statutes and ordinances heretofore or hereafter enacted by the County, the State, or any other legal entity or agency having jurisdiction.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1225 Prohibited Uses.

Any abandoned, dismantled, inoperative, junked or wrecked vehicles or parts thereof, or fully or partially disassembled vehicle (including vehicles without hood, fenders, engines, body panels, headlights, trunk lid, wheels, windows or windshields) when placed or kept for more than seventy-two (72) hours in residential, commercial or industrial sites (except licensed vehicle impound storage yards, garages, vehicle dealers, junkyards and/or dismantling yards), and visible from outside the parcel of land upon which such is or are kept, is prohibited and constitutes a violation of this chapter.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1230 Duty to Abate.

No person shall cause, permit, maintain, conduct or otherwise allow an abandoned, dismantled, inoperative, junked, or wrecked vehicle or parts thereof to be openly stored, within the unincorporated area of San Bernardino County. It shall be the duty of every owner, and/or occupant, in control of any land located within the unincorporated area of San Bernardino County to remove, abate, and prevent the recurrence of open storage of such a vehicle. Any recurrence of such condition of a specific vehicle on the same property may be deemed a continuation of the original condition and additional notification requirements under §33.1240 and §33.1290 shall not be required.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1235 Emergency Abatement and Other Services.

(a) Emergency abatement. When a vehicle defined by this chapter as a public nuisance constitutes an immediate hazard or threat of harm and the situation calls for abatement sooner than the abatement procedures herein allow, DEHS, the Director of Transportation, or Sheriff's Department may take or cause emergency removal of such nuisance with such notice to parties concerned, or without notice, as the particular circumstances reasonably allow. Required notification procedures prior to disposal of such vehicle(s) shall be followed.

(b) Request for Service. If any member of the public, except self-storage operators, requests DEHS in writing to remove abandoned, dismantled, inoperative, junked or wrecked vehicles or parts thereof, DEHS is authorized to provide processing and removal for a fee which covers all DEHS costs. The removed abandoned, dismantled, inoperative, junked or wrecked vehicles or parts thereof, through transfer of title or lien sale process shall become the property of San Bernardino County and such will be the responsibility of the County to dispose of according to law.

(c) Complaints. DEHS will investigate anonymous complaints associated with abandoned, dismantled, inoperative, junked or wrecked vehicles or parts thereof. The complaint may be phoned in or be in writing and must have situs address and/or assessor parcel number with a description of the violation. The process referring to "Notice of Intent to Abate and Remove" will be utilized for abatement if such is determined to be appropriate.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1240 Abatement Procedures for Vehicles Which are a Public Nuisance.

A ten-day "Notice of Intent to Abate and Remove" shall be given to the property owner to remove the vehicle or vehicles or parts thereof, as a public nuisance, unless the property owner and the owner of the vehicle have signed releases authorizing removal and waiving further interest in the vehicle or part thereof. Notification shall be given either by personal delivery or posting the property, and shall be mailed by registered or certified mail addressed to the property owner at his/her last known business or residence address as the same appears in the public records of the last equalized assessment roll, and to the last registered and/or legal owner of the vehicle by registered or certified mail to the last address listed with the Department of Motor Vehicles. If such a vehicle is in such condition that identification numbers are not available to determine ownership, notice need not be given to the last registered and/or legal owner of the vehicle.

The notice shall be substantially as follows:

"You are hereby notified to abate this public nuisance by removal of the vehicle(s) or parts thereof within ten (10) days from the date of mailing of this notice. If you fail to do so, the public nuisance and such dismantled, wrecked, junked, inoperative, abandoned vehicles or parts thereof, will be abated and removed by San Bernardino County DEHS and/or contract services and all the costs for abatement and removal, together with administrative costs, may be assessed to the legal owner of the land on which the public nuisance and such dismantled, junked, abandoned, inoperative vehicle or parts thereof are located."

The notice shall also set forth the procedures and time period for filing an appeal. The notice shall contain a statement of the hearing rights of the owner of the property on which the vehicle is located and of the owner of the vehicle. The statement shall include notice to the property owner that he/she may appear in person at a hearing or may submit a sworn statement denying responsibility for the presence of the vehicle on the land, with his/her reasons for such denial, in lieu of appearing.

If the nuisance is not abated and a request for hearing has not been received within the time period given in the notice, DEHS is authorized to abate the nuisance.

A "Notice of Intent to Abate and Remove" shall not be required for removal of a vehicle or parts thereof which is inoperable due to the absence of a motor, transmission, or wheels and incapable of being towed; is valued at less than two hundred dollars (\$200); and is determined to be a public nuisance presenting an immediate threat to public health or safety; provided that the property owner has signed a release authorizing removal and waiving further interest in the vehicle or parts thereof. Notice of intent to dispose of the vehicle or parts thereof shall be provided to the last registered and legal owners prior to final disposition. If the vehicle or parts thereof are not claimed and removed within twelve (12) days after the notice is mailed, San Bernardino County DEHS may authorize disposal of the vehicle and parts thereof. This paragraph shall only apply to inoperable vehicles located upon a parcel that is either zoned for agricultural use or is not improved with a residential structure containing one or more dwelling units.

Notice shall be given to the Department of Motor Vehicles within five (5) days after the date of removal of vehicles under this section, identifying the vehicle or part thereof and any evidence of registration available, including, but not limited to, the registration card, certificates of ownership, or license plates.

No vehicle which has been abated or removed as a public nuisance shall thereafter be reconstructed or made operable unless it is a vehicle which qualifies for either horseless carriage license plates or historical vehicle license plates.

San Bernardino County DEHS and/or contract services shall not be liable for damage caused to a vehicle or part thereof by removal pursuant to this section.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1245 Payment for Abatement of Vehicles Which are a Public Nuisance.

When abatement has been completed, the director of DEHS shall render to the San Bernardino County Auditor/Controller an itemized statement covering work necessary for the abatement. The Auditor/Controller shall pay the same from the funds of the agency causing said work to be done, and the director shall present to the property owner a demand for payment by mail. If payment is not made on behalf of the property owner within sixty (60) days after mailing of such bill, the director shall file a Notice of Pendency and certify to the Auditor/Controller the remaining unpaid cost. The Auditor/Controller shall cause the amount of the same to be entered upon the next succeeding secured tax roll. Thereafter, the amounts of the assessment shall be collected at the same time and in the same manner as County taxes are collected, and are subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary County taxes, except that if any real property to which such lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attached thereon, prior to the date on which the first installment of such taxes would become delinquent, then the lien which would otherwise be imposed by this section shall not attach to such real property and the costs of abatement, as confirmed, relating to such property shall be transferred to the unsecured roll for collection from the person who was the property owner at the time of the abatement.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1250 Appeal of Abatement.

Upon written request by the legal owner of the vehicle under title or requiring registration under the California Vehicle Code, received by the DEHS within ten (10) days after mailing of the Notice of Intent to Abate and Remove, or a sworn written statement from the owner of the land, claiming nonresponsibility for the vehicle(s), a public hearing shall be held by the Administrative Board on the abatement and removal of such vehicle(s) and parts thereof as a public nuisance. The sworn written statement shall be construed as a request for hearing which does not require the presence of the owner submitting such request. The Administrative Board shall hear and act on appeals within sixty (60) days of filing and its determination shall be conclusive. The owner of the land on which the vehicle is located may appear in person at the hearing, or present a sworn written statement denying responsibility for the presence of the vehicle on the land, with his/her reasons for such denial. If it is determined at the hearing that the vehicle was placed on the land without the consent of the landowner and that he/she has not subsequently acquiesced in its presence, then the local authority shall not assess the costs of administration or removal of the vehicle against the property upon which the vehicle is located or otherwise attempt to collect such cost from such owner. Except as provided herein, the provisions of § 33.029 (Administrative Hearing Procedures) of Chapter 2 of this Code are incorporated herein by reference.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1255 Appeals of Charges.

Any appeal from charges for the cost of removal and abatement must be filed within sixty (60) days from the date of billing or mailing of a tax bill which shows abatement charges. Except as provided herein, the provisions of § 33.029 (Administrative Hearing Procedures) of Chapter 2 of this Code are incorporated here by reference.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1260 Cancellation of Charges.

All or any portion of any such special assessment, penalty, or costs heretofore entered, shall on order of the Administrative Board, be cancelled by the Auditor/Controller if uncollected, or, except in the case provided for in subdivision (5) hereof, refunded by the County Treasurer if collected, if it or they were entered, charged, or paid:

- (a) more than once;
- (b) through clerical error;
- (c) through the error or mistake of the Administrative Board, the Director, or the person designated by them to give notice to abate regarding any material fact relevant to the determination of a charge;
- (d) illegally;
- (e) the owner of the land was not responsible for the vehicle(s);
- (f) on property acquired after the lien date by the state or by any county, city, school district, or other political subdivision and because of this public ownership, not subject to sale for delinquent taxes.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1265 Procedure for Refund of Payment.

No order for a refund under the foregoing section shall be made except on a claim:

- (a) verified by the person who paid the special assessment, their guardian, executor, or administrator;
- (b) filed within three (3) years after making the payment sought to be refunded.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1270 Payment for Abatement of Abandoned Vehicles.

The abandonment of any vehicle on public or private property shall constitute a prima facie presumption that the last registered owner of record is responsible for the abandonment and is thereby liable for the cost of removal and disposition of the vehicle. When the abatement has been completed, the director of DEHS shall render to the San Bernardino County Auditor/Controller an itemized statement covering work necessary for abatement. The Auditor/Controller shall pay the same from the funds of the agency causing said work to be done, and the director shall present to the registered owner of the vehicle a demand for payment of the costs required for removal and disposition of the vehicle, not to exceed those for towing and seven (7) days of storage. If payment is not made on behalf of the registered owner of the vehicle within sixty (60) days after mailing of such bill, the director may issue an Abandoned Vehicle Citation and/or notify the Department of Motor Vehicles.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1275 Disposal of Vehicles Which are a Public Nuisance.

If a vehicle and parts thereof are removed from a property as a public nuisance, the vehicles or parts thereof shall be disposed of by removal to a scrap yard, licensed automobile dismantler's yard or any suitable site determined by San Bernardino County DEHS for processing as scrap.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1280 Abatement Procedures for Vehicles Which are Abandoned.

If an abandoned vehicle and parts thereof are removed from a property, and the estimated value of the vehicle is three hundred dollars (\$300) or less, a notice which states that the vehicle will be removed by the County DEHS shall be securely attached to the vehicle not less than seventy-two (72) hours before the vehicle is removed. Immediately after removal of the vehicle, the County DEHS and/or contract services shall notify the Stolen Vehicle System of the Department of Justice in Sacramento of the removal.

Within forty-eight (48) hours of the removal, excluding weekends and holidays, a notice shall be sent to the registered and legal owners of the vehicle by registered or certified mail to the last address listed with the Department of Motor Vehicles, and to any other person known to have an interest in the vehicle. This notice shall include the following information:

- (a) The name, address, and telephone number of County DEHS;
- (b) The location of the place of storage and description of the vehicle which shall include, if available, make, license plate number, vehicle identification number, and mileage;
- (c) The authority and purpose for removing the vehicle;
- (d) A statement that the vehicle will be disposed of fifteen (15) days from the date of the notice;
- (e) A statement that the owners and interested persons, or their agents, have an opportunity for a post-storage hearing if the request is made in person, in writing, or by telephone within ten (10) days from the date of the notice.

(f) Any requested hearings shall be conducted within forty-eight (48) hours of the request, excluding weekends and holidays. Except as provided herein, the provisions of § 33.029 (Administrative Hearing Procedures) of Chapter 2 of this Code are incorporated herein by reference.

Failure of either the registered or legal owner or interested person or their agent to request or to attend a scheduled hearing shall satisfy due process post-storage hearing requirements.

If, after fifteen (15) days from the notification date, the vehicle remains unclaimed and the towing and storage fees have not been paid, and if no request for a post-storage hearing was made or a post-storage hearing was not attended, the County DEHS may authorize disposal of the vehicle.

If the names and addresses of the registered and legal owners of the vehicle are not available from the records of the Department of Motor Vehicles, the County DEHS may authorize disposal of the vehicle at any time after the removal.

Disposal of the vehicle may only be to a licensed dismantler or scrap iron processor. A vehicle disposed of pursuant to this section shall not be reconstructed or made operable, unless it is a vehicle which qualifies for either horseless carriage or historical vehicle license plates.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1281 Abatement Procedures for Abandoned Vehicles Which are Valued at Greater than \$300.

After the abatement and removal process described in § 33.1280 has occurred, and the post-storage notification requirements described in § 33.1280 have been met, a lien sale will be conducted on every removed, abandoned vehicle with a value of over three hundred dollars (\$300), and such sale will be carried out if all fees and costs for the removal, storage and application for lien sale have not been paid and the vehicle has not been redeemed by the registered or legal owner of the vehicle. Once legal ownership has been transferred to the County by lien sale, the vehicle(s) or parts thereof will be sold on a regular scheduled date by an auction or other authorized, legal method permitted for the County.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1285 Procedure for Redemption of Vehicles.

A vehicle which is valued at three hundred dollars (\$300) or less, and which has been removed from a property by the County DEHS and/or contract services as an abandoned vehicle, may be redeemed by the registered or legal owner of the vehicle after payment of reasonable removal and storage costs, excluding lien sale costs, within fifteen (15) days of the mailing date of notification of removal.

A vehicle which is valued at three hundred dollars (\$300) or less, and which has been removed from a property by the County DEHS and/or contract services as a public nuisance, may be redeemed by the registered or legal owner of the vehicle after payment of reasonable removal, storage and lien sale costs within ten (10) days of the date of removal.

A vehicle which is valued at greater than three hundred dollars (\$300), and which has been removed from a property by the County DEHS and/or contract services, may be redeemed by the registered or legal owner of the vehicle after payment of reasonable removal, storage and lien sale costs, within fifteen (15) days of the mailing date of notification of removal if abated as an abandoned vehicle, and within thirty (30) days of removal if abated as a public nuisance.

In no case shall the costs charged to the legal or registered owner for removal and disposition of an abandoned vehicle under this section exceed those for towing and seven (7) days of storage.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1290 Authorization to Enforce County Code and Vehicle Code Provisions.

Notwithstanding any other provision of this chapter, the Director of DEHS and his designated employees are authorized to remove abandoned and unattended vehicles pursuant to the provisions of County Code § 53.036 and abandoned vehicles pursuant to the provisions of Vehicle Code § 22669. In exercising this authority they shall follow all procedural and legal requirements applicable to said sections.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1295 Determination of Estimated Value of Vehicles.

For lien sale purposes, DEHS shall determine the estimated value of vehicles and maintain proper documentation and give notifications as required by the California Vehicle Code with respect to vehicles which are abated and removed under this chapter. DEHS shall determine whether the estimated value of a vehicle that has been ordered removed, towed or stored is three hundred dollars (\$300) or less; or over three hundred dollars (\$300) but less than or equal to one thousand dollars (\$1,000); or over one thousand dollars (\$1,000). All regularly employed

and salaried employees of DEHS (including contract employees) are authorized to make appraisals to determine the value of vehicles abated or removed under this ordinance.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1298 Criminal Penalties.

Unless otherwise provided, any person, firm or corporation violating any provision of this chapter, other than the provisions of § 33.121(b), shall be guilty of an infraction or misdemeanor as hereinafter specified, and each day or portion thereof such violation is in existence shall be a new and separate offense. Any person so convicted shall be:

(a) guilty of an infraction offense and punished by a fine of not less than fifty dollars (\$50) but not exceeding one hundred dollars (\$100) for a first violation;

(b) guilty of an infraction offense and punished by a fine not less than one hundred dollars (\$100) and not exceeding two hundred dollars (\$200) for a second violation;

(c) the third and any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1000), or by imprisonment in the County jail for a term not exceeding six (6) months, or both.

Notwithstanding the above, a first or second offense may be charged and prosecuted as a misdemeanor. In addition to the above penalties, such convicted person, firm, corporation or other entity may, in the discretion of the court, be ordered to reimburse DEHS for all necessary costs incurred through investigation, discovery, analysis, inspection, abatement and other actual costs incurred by DEHS or its agents pertaining to the violation.

The court shall fix the amount of any such reimbursements upon submission of proof of such costs by DEHS. Payment of any penalty herein provided shall not relieve a person, firm or corporation, or other entity from the responsibility of correcting the condition resulting from the violation.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);

33.1299 Injunction.

Any use of property contrary to the provisions of this Code shall be and is hereby declared to be unlawful. Upon request of the Director of Environmental Health Services, or other County enforcement officer, an action for injunctive relief may be commenced for the abatement, removal and enjoinder thereof in the manner provided by law. Application shall be made to such court or courts, which have jurisdiction to grant such relief, to abate or remove such use, and restrain and enjoin any person from using any property contrary to the provisions of this Code. It shall be the right and duty of every citizen to participate and assist the County officials in the enforcement of the provisions of this Code.

Amended Ordinance #2996 (1986); Amended Ordinance #3283 (1988); Amended Ordinance #3349 (1989);